

**REMARKS**

Claims 1–8, 11–20, 25–27 and 31–33 are pending in the present application.

Claims 1, 20 and 25 were amended herein.

Reconsideration of the claims is respectfully requested.

**35 U.S.C. § 103 (Obviousness)**

Claims 1–3, 4–8, 11–17, 19–20, 25–27 and 31–32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,963,704 to *Mimura et al* in view of U.S. Patent No. 5,262,875 to *Mincer* and U.S. Patent No. 6,122,619 to *Kolluru et al*. Claims 18 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mimura et al* in view of *Mincer* and *Kolluru et al* and further in view of U.S. Patent No. 5,642,171 to *Baumgartner et al*. These rejections are respectfully traversed.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-125 (8th ed., rev. 5 August 2006). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id*.

To establish a *prima facie* case of obviousness, three basic criteria must be met: First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or

suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

The Office Action states:

[I]t is noted that applicant's argument does not reflect the claims since nowhere . . . do they recite "a proxy filter that is reprogrammable to accommodate any combination of any one of MPEG-1, MPEG-2 and MPEG-3 video data with any one of AC-3, MPEG or PCM audio data" as argued by applicant.

Paper No. 20071015, pages 7-8 (emphasis in original). Independent claims 1, 20 and 25 have been amended herein to expressly recite the feature mentioned above. Such a feature is not found in the cited references, taken alone or in combination.

Therefore, the rejection of claims 1-3, 4-8, 11-18, 19-20, 25-27 and 31-33 under 35 U.S.C. § 103 has been overcome.

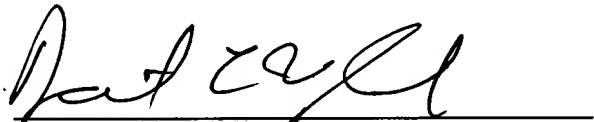
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *dvenglarik@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

Date: 1-22-2008

  
Daniel E. Venglarik  
Registration No. 59,409

P.O. Box 802432  
Dallas, Texas 75380  
(972) 628-3621 (direct dial)  
(972) 628-3600 (main number)  
(972) 628-3616 (fax)  
E-mail: *dvenglarik@munckbutrus.com*